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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 701826-056360
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/521,524
INTERNATIONAL APPLICATION NO. PCT/CA2003/001069	INTERNATIONAL FILING DATE 16 July 2003 (16.07.2003)	PRIORITY DATE CLAIMED 16 July 2002 (16.07.2002)
TITLE OF INVENTION COMPOSITION FOR CYTOCOMPATIBLE, INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND DELIVERING LIVE CELLS OR BIOLOGICALLY ACTIVE		
APPLICANT(S) FOR DO/EO/US BIO SYNTECH CANADA, INC.; HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMANN, Michael; SERREQL, Alessio and SUN, Jun		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/521,524		INTERNATIONAL APPLICATION NO. PCT/CA2003/001069		ATTORNEY'S DOCKET NUMBER 701826-056360	
20. Other items or information: Exp. Mail Cert. EV653001579US; COPY-Notification of Missing Requirements; Reply to Notification of Missing Requirements; and Return Receipt Postcard					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100				\$	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400				\$	
All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	\$	
- 100 =	/50 =		x \$250	0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	
Independent claims	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	0.00
TOTAL OF ABOVE CALCULATIONS =				\$	0.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	0.00
SUBTOTAL =				\$	0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	0.00
TOTAL NATIONAL FEE =				\$	0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	0.00
TOTAL FEES ENCLOSED =				\$	0.00
				Amount to be refunded:	\$
				Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit
Account No. 50-0850. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed
and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David S. Resnick
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110-2131
US


SIGNATURE

David S. Resnick
NAME

34,235
REGISTRATION NUMBER

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

TITLE OF INVENTION: COMPOSITION FOR CYTOCOMPATIBLE,
INJECTABLE, SELF-GELLING CHITOSAN SOLUTIONS
FOR ENCAPSULATING AND DELIVERING LIVE CELLS
OR BIOLOGICALLY ACTIVE FACTORS

APPLICANT FOR DO/US: BIO SYNTECH CANADA, INC.

INVENTORS FOR DO/US: HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN,
Michael; SERREQUI, Alessio; and SUN, Jun

U.S. SERIAL NO.: 10/521,524

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

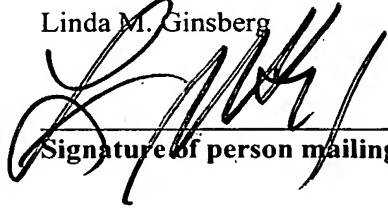
"Express Mail" label number EV 653001579 US
Date of Deposit October 19, 2005

I hereby state that the following *attached* paper or fee

1. Express Mail Certificate EV 653001579 US (1 pg.);
2. Form 1390 page 3 in duplicate (4 pp.);
3. COPY-Notification of Missing Requirements (2 pp.);
4. Reply to Notification of Missing Requirements (2 pp.);
5. Executed Oath and Declaration (5 pp.); and
6. Return Receipt Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Linda M. Ginsberg


Signature of person mailing paper or fee

Practitioner's Docket No. 701826-056360

PATENT

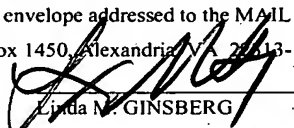
IN THE UNITED STATES RECEIVING OFFICE

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Michael; SERREQI, Alessio; and SUN, Jun

U.S. SERIAL NO.: 10/521,524

MAIL STOP PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

<p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. EV 653001579 US in an envelope addressed to the MAIL STOP PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.</p> <p>Date: <u>October 17</u>, 2005</p> <p align="right"> Linda N. GINSBERG</p>
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Sir/Madam:

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

A Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office was mailed September 26, 2005 in the above-captioned matter (copy enclosed herewith). The Notification indicates that the executed Oath or Declaration was not received by the U.S. PTO. However, applicants submitted the executed Oath or Declaration on September 20, 2005. Applicants are submitting the instant reply out of an abundance of caution. Therefore, please find enclosed:

1. COPY - Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (2 pp.);
2. Executed Declaration and Power of Attorney (5 pp.);

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001069	16 July 2003 16.07.03	16 July 2002 16.07.02

TITLE OF INVENTION: COMPOSITION FOR CYTOCOMPATIBLE, INJECTABLE, SELF-
GELLING CHITOSAN SOLUTIONS FOR ENCAPSULATING AND
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APPLICANT FOR DO/US: BIO SYNTECH CANADA, INC.
INVENTORS FOR DO/US: HOEMANN, Caroline; CHENITE, Abdellatif; BUSCHMAN, Michael;
SERREQL, Alessio; and SUN, Jun

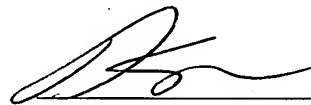
U.S. SERIAL NO.: 10/521,524

Please charge any fee deficiencies that may be due in connection with this matter to
Deposit Account No. 50-0850.

Please contact the undersigned attorney if any additional information is needed.

Respectfully submitted,

Date: October 19, 2005



RESNICK, David S. (Reg. No. 34,235)
NIXON PEABODY, LLP
100 Summer Street
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Tel. (617) 345-6057
Fax (617) 345-1300



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/521,524	FIRST NAMED APPLICANT Caroline Hoemann	ATTY. DOCKET NO. 701826-056360
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INTERNATIONAL APPLICATION NO.

PCT/CA03/01069

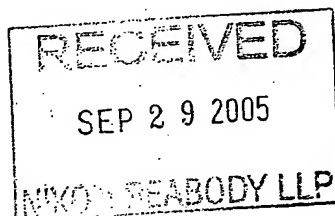
I.A. FILING DATE

07/16/2003

PRIORITY DATE

07/16/2002

David S Resnick
 Nixon Peabody
 100 Summer Street
 Boston, MA 02110-2131



CONFIRMATION NO. 2128
 371 FORMALITIES LETTER
 OC000000016832999
 OC000000016832999

Date Mailed: 09/26/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/18/2005
- Copy of the International Search Report filed on 01/18/2005
- Preliminary Amendments filed on 01/18/2005
- Request for Immediate Examination filed on 01/18/2005
- U.S. Basic National Fees filed on 01/18/2005
- Priority Documents filed on 01/18/2005
- Specification filed on 01/18/2005
- Claims filed on 01/18/2005
- Abstracts filed on 01/18/2005
- Drawings filed on 01/18/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,524	PCT/CA03/01069	701826-056360

FORM PCT/DO/EO/905 (371 Formalities Notice)